Condensed Transcript

ENVIRONMENTAL PROTECTION AGENCY
PUBLIC MEETING

SITE: 2 Brown's Dump
BREAK: 13.8
OTHER:

IN RE: BROWN'S DUMP SUPERFUND SITE

HEARING

August 9, 2005
5:36 p.m.

4545 Moncrief Road West

Jacksonville, Florida

Richetta R. Brown, Court Reporter
and Notary Public in and for
the State of Florida at Large

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PROCEEDINGS
August 9, 2005

MR. HARDEGREE: Well, good evening. My name is Wes Hardegree. I work for the United States Environmental Protection Agency, and I'm here to talk to you about the Brown's Dump Superfund Alternative Site and the proposed cleanup remedy that's on the street right now.

I'd like to thank you guys for coming. It's always nice to see a big crowd. We were taking bets as to -- about how many people were going to show up. I think you've exceeded the bets there.

The format for the evening is going to be me giving about a 20-minute talk presenting to you kind of some history of the Brown's Dump and some history of the investigation we've done out there, and then going into the actual proposed remedy. And then having you guys give a question-and-answer period, where you can ask any questions; you can provide me with comments on what you've heard tonight or what you've read.

I'm going to start with some history. Brown's Dump is approximately 50 acres in size. And the 50 acres is really approximate. I haven't sat

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down and actually figured it out, but I think it's 50 acres in size. Of course, it's located just across the street. It consists of various type of properties. Of course, there is the old school; there is that JEA electric substation and there's a bunch of surrounding individual homes and some apartment complexes.

Now, the history of the actual Brown's Dump site begins in the late '40s. It may be actually the mid '40s. And it was used as a dump for incinerator ash for the City of Jacksonville. And it basically was used in that format for about ten years. Maybe a little over ten years. In the mid '50s it was shut down. Investigations have found ash and contaminants associated with that ash to be present and some locations the presence is pretty deep. The second there mentions about 20 feet in one location.

Now, after the closure of the landfill in the mid '50s, the property was obtained by the Duval County Board of Education. As you probably know, the condemnation procedures, it was taken over and the school was constructed.

Now approximately that time, in the mid '50s, the surrounding land to the south and

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southwest and even to the north underwent some development of individual residential homes and also some apartment complexes. Now, the original location of the dumping operations, as you'll see in a couple of photos that I've got, aerial photos, is really on the northern part of the school property.

This is an aerial photograph from -- I think it was around 1942, '43, and just to orient yourself, there's Moncrief Road. There's the railroad tracks. There's the creek. This is the location where the school would ultimately show up. And the dumping area is in this area. As you can see, there's really not any houses down here. There's very few houses up here. There's a couple of houses in this area. This is 30th Street. So this is what the area looked like in the 1940s and this is when the dumping began.

This aerial is about ten years later in the mid '50s sometime. Again, for reference, there is the Moncrief Road, creek, railroad track, and this is the location that would become the school. Again, there's ash dumping here in this location and really no residence down here. Some residential area has shown up to the north and there's a little more residence in this area.

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This aerial was from 1972. And you can see that the school has come in. Again, here's Moncrief Road, railroad tracks, and the creek. The schools come in. This was the area for the dumping for what I call the ground zero for the dumping. And the conceptual model is that when these homes were built -- and even some of the homes over here -- they were along the creek and there was filling that was done. And some of the fill was probably some of this ash. And that's how the explanation is that the ash was kind of distributed around in this area.

Now, the responsible party from EPA's perspective for dealing with this contamination as we see it today is the City of Jacksonville. We identified a lot of, what we call, potential responsible parties, and that included the JEA folks, the school board and the City of Jacksonville. And I could just always say the City of Jacksonville, because JEA and the school board, they're all entities of the city.

Now, in September of 1999, the City of Jacksonville voluntarily entered into an agreement with EPA. And it's called an administrative order by consent or an AOC. And in that AOC, the city

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agreed to do an investigation called a remedial investigation, which I'm going to summarize for you later, and a feasibility study, which, again, I'm going to summarize in a couple of slides. And the site for remediation, unlike some other federal Superfund sites is actually going to be funded by the city. So your federal tax dollars aren't necessarily being spent to do the cleanup you're seeing here.

I'm sure you know that Brown's Dump has been known about for a number of years, if not decades. And I wanted to have a slide that shows EPA's involvement and kind of what we've done, where we are and where we're going. So on this slide here, the site discovery, the remedial investigation, the risk assessment, the feasibility study, those have all been completed. So that's in the past. We're going to use this information to generate the proposed plan and the public comment period. That's where we are right now. We're at this point here.

In the future, after we get done with the proposed comment period, we take comments from the community. We take comments from the state. I'm going to have to go back to the office, I'm going to

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have to write up what's called a record of decision, and that record of decision hasn't been done yet. But that record of decision is going to formalize and finalize the proposed plan and any modifications that are needed for the proposed plan, based on comments from you and from the state. After the proposed plan is done -- excuse me -- the record decision is done, then we're going to have to do a remedial design, which is really the nuts and bolts about how we implement this outline, this sketch of remediation or cleanup. And the remedial action is actually going out there and doing it.

On the next couple of slides, what I'm going to do is I'm going to briefly summarize the remedial investigation, the risk assessment and the feasibility study.

Now, the remedial investigation, the purpose of that is basically to find the contamination, where it's located and what the contaminants are. And in this particular case, the remedial investigation started in late '99, early 2000. And it's been done in phases. There's been three phases. And the first two phases have been completed, the third phase is ongoing. And why the third phase is ongoing is because we had trouble

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getting access to do some sampling out there. So we've got enough information to know where the contaminants are and know where they're located, but we don't know exactly which parcels or individual yards have the contaminants. So phase 3 is going on right now.

I'm going to ask at the end of the talk here that if you haven't given access and you've been asked to give access for sampling, that you do that because it's going to help us figure out exactly what needs to be done as far as individual yard cleanups.

And the main environmental medium that's contaminated out there is soil. And the main contaminants, we're concerned, that have been discovered through all of these phases of sampling are metals, mainly lead and arsenic and some organics. Some Carcinogenic, Polycyclic Aromatic Hydrocarbons or PAHs, and there's some dioxins out there.

Now, this is a slide. It's got a lot of colors on it. It's got a lot of parcels. You don't have to be worried about park front now. Particularly the point for this slide is, that the green color are the parcels that we've sampled and

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determined that there's really no contamination out there. And all the other colors, any other color you see up there, other than green, are those parcels that have been sampled and for whatever reason we determined there's contamination in them. So the way I look at this is there's the ground zero, this is a contaminant also. This white, you actually should see some color. This is contaminated also. This is the former school property. This is kind of the ground zero that I was showing you in the aerial photographs. So every color you see out there other than green is a parcel that has some contamination.

Now, with the sampling and the information that was generalized in that figure, we basically knew where the contaminants were and kind of where the contamination was located, what individual chemicals were of concern, then we could take that information and perform what's called a baseline human health risk assessment. This was done by EPA. It was done in -- I guess it started in 2001. It was done by one of our contractors, and it was ultimately approved and completed in late 2002.

Now, the main contaminant environmental medium that was contaminated was soil. And

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basically a risk assessment and the remedial investigation and we're able to come to the conclusion that the soil is in need of some sort of cleanup.

Now, with that information, we had to come up with individual cleanup levels. Now this is a table for the residential situations, you know, people's yards. You don't really need to pay too much attention to the constituents and to the individual numbers right now. What you just need to know is that a lot of constituents we've identified and there are cleanup values in a residential scenario with what you're going to have to meet. And this information is going to be used to help us determine what sort of cleanup is needed.

This is a residential scenario. There's some situations -- maybe more so than another Superfund site that's going to be discussed tomorrow tonight -- where there's going to be industrial uses of the property. So we have the same constituents and we have different cleanup numbers. These numbers are higher than the residential. The parameters that you look at when you try to identify cleanup level for an industrial scenario is different from what you have in a residential. So

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basically you have higher numbers in industrial scenarios.

With the remedial investigation telling us where the contamination was and what the chemicals of concern are, we also did an ecological risk assessment. And this again was done by EPA's contractor. It was begun basically at the same time the human health was begun, so I guess 2001 and it was completed in late 2002.

The general conclusion is that the sediment and the surface water in Moncrief Creek did not contain ecologically significant levels of contaminants, but there was some surface soil present that posed a risk to terrestrial animals. So just like with human health, we had to come up with cleanup levels. Here the constituents of concern for the eco, they're slightly different from human because ecological receptors have different ways of dealing with chemicals and not dealing with chemicals and they're different numbers. These are for Eco.

Now, with the information from the risk assessments, both human health and ecological, with the information from remedial investigations to what the chemicals are and where they're located, the

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next stage, you're to do a feasibility study. The feasibility study's purpose is to evaluate and identify possible alternatives for cleanup. And in doing that we had to identify what's called remedial action objectives. These are like cleanup objectives. The first one is it makes sense, we're suppose to prevent human exposure. So to those numbers you saw on the table we want to make sure that we're not having people exposed to concentrations above those numbers, whether it's industrial or a residential scenario.

The second objective, we're going to prevent impact to terrestrial biota, the same thing, the tables consists of what you saw. We want to make sure the consistencies of the ecological critters out there are not exposed to levels above the numbers you saw on the ecological table. We also want to make sure that the soils that may have this contamination in it isn't swept back into Moncrief Creek over time, which might cause a problem.

So with those objectives, those cleanup objectives, making sure people aren't exposed and making sure the terrestrial organs are not exposed, making sure that the contamination doesn't get back

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into the creek. We came up with different alternatives to address that. The first alternative is a no action actual alternative, that means basically do nothing. This is a baseline. We have to have this done at every site. It's just to compare our actual active alternatives again.

The second one is called soil cover with excavation and off-site disposal. The third one is shallow excavation, off-site disposal and soil cover, and the fourth one is titled deep excavation on-site disposal.

Now, in general and briefly what does all this mean, as you go from this particular alternative to the third alternative to the fourth alternative, you're increasing the thickness of color, and you're increasing the amount of excavation. So you can just think of this has less cover and less excavation than this alternative. This alternative has less cover and less excavation than this alternative. And that's in general.

I think I missed a slide. Nope.

Okay. Now, on with these alternatives for cleanup, EPA has nine criteria that we're supposed to look at to identify or to help us identify the best alternative. And I'm not going to go over each

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one of these criteria and compare it to one of the alternatives. What I want to do is just basically let you know that we have these criteria and just briefly identify the criteria.

The first two are called threshold criteria. All the remedies that we choose have to protective of the human health environment and they have to be in compliance with what's called ARAR, standard cleanup numbers.

We also have something called the balancing criteria that we have to run each one of our alternatives through. And this is a listing of the balancing criteria. All of this information is in the feasibility study that's done and it's in the administrative record which is here at this physical location. You can take a look at it for specifics, but these are things like long-term effectiveness; can it be implemented; short-term effectiveness, and, of course, the bottom one there is cost. So we do look at cost as a balancing criteria for alternatives.

Now, the last two criteria we run all alternatives through are what we call modifying criteria. And that's kind of where we are right now. We're presenting this proposed cleanup plan to

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you guys and to the state director, and we're going to be asking for comments. So these two criteria we haven't run through the alternatives yet. We can't do that until we get done with this meeting today and we get done with the public comment periods, and I receive comments.

Now, the remedy that's been chosen as the proposed remedy is the third alternative. And it's the shallow excavation off-site disposal and soil cover. If you remember, there were three alternatives that actually did something. This is the middle one. So it doesn't have the most excavation, it doesn't have the least excavation. You can kind of think of it that way.

Now, how I wanted to explain this remedy is I thought I would do it through kind of land use. And I would identify different land uses and explain how the remedy would function on those land uses. So what you see here, you have different land uses. You have residential and you have the former school property and you have the Moncrief Creek and you have industrial property. So I'm going to go through each of those land uses and kind of walk you through what generally will happen in the cleanup.

Just to kind of orient yourself, the

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earlier figure I showed you with the green colors and the multicolors, blues and reds and speckles, we took that information and we turned it into this particular figure. Green, again, is good. Those are parcels that have been sampled, and we're not seeing problems that need to be cleaned up. The brown are the parcels that we've either identified through sampling as a concern and in need of cleanup, or it's a parcel where access has not been granted for sampling, but it's next door to a parcel that we've sampled and we know needs to be cleaned up. So there's more brown, I think, on this figure that's identified for cleanup than may actually need to be cleaned up because we made the assumption there's some contaminated parcels out there that we just haven't sampled yet that we couldn't get access.

Now, the brown is going to be areas where we're going to have excavations and covering. And the pink here is where I'm going to be talking about more just covering. There may be some excavation, but more covering. So let me go through each one of those scenarios like residential.

In residential what we're going to do is we're going to have -- to prevent human exposures,

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we're going to remove soil contamination to allow for the installation of a 2-foot thick cover. And that's the minimum, 2-foot thick cover. Now, for the most part at the residential areas, this is going to be -- the contamination in the yards is going to be dug up and there may be areas around trees and as we get close to foundations, we can't necessarily go down 2 feet. They're going to have to hand-dig and do something less than 2 feet. But in general we're going to remove 2 -- if it's all contaminated, we're going to remove 2 feet. If it's not contaminated in the 2-foot interval completely, we'll just remove, like, the top foot or whatever is contaminated within that 2-foot interval.

Now, the prevention of human exposures to contamination that may be left at depth that will be greater than 2 feet or underneath the buildings is going to be addressed through institution controls. Now, what are institution controls? Institution controls are like legal instruments that are designed to control or direct human behavior to keep them from being exposed to contamination. I'm going to explain a little more about institution controls in the next slide.

This is a little cartoon that I worked up

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to try to present what's going to happen in a residential scenario. You got a house. You got trees. All the brown is contamination, contaminated soil. This is kind of like the worst case. It's everywhere. It's in the backyard, it's in the front yard, it's in the trees. It's at depth. This over here is zero, 1 foot down, 2 feet down, 3 feet down. What's going to happen is we're going to remove shrubbery, small items, if allowed, we will dig around the shrubbery if we need to. We're going to remove the top 2 feet of contaminated soil. We're going to dig around large trees. Maybe we get down a foot; maybe we don't. We'll just have to see. We'll remove contamination in the front yard. Then we're going to come back and put a little textile membrane to sort of show we dug up, and then we're going to put clean soil back and replace the plants. So in general that's kind of the cartoon picture you need to keep in your mind of how we're going to deal with this.

Now you see there's still contamination at depth in some places. And how we're going to deal with that is through the institution controls. Now, the institution controls in this case is like a program. It's been done to other Superfund sites

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across the country. In this case, we're kind of lucky in that the city is the responsible party. And the city is also the one that can be used to administer the institution controls to make sure that people aren't exposed to this remaining contamination that's at depth and maybe under houses.

Now, what that means is that if you're going to be going out there and doing large diggings where you would be exposed to this contamination at depth, you need to get a permit. Getting a building permit, a deconstruction permit, a permit to dig for utilities, all those kind of permits run through the city. So the thinking is that we would have this area flagged. And if someone were to come out and want to put a pool in or build a new house, they'd have to get a building permit. There would be a flag on that permit application stating, Hey, you're in this particular area of contamination. There are certain things you're going to have to do. You're going to have to follow -- first of all, you're going to have to be aware of this potential contamination. And you may even actually go out and have to sample, may have to follow some management plans for the soil that's involved to whenever

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construction activities.
So taking that cartoon view and giving it to some actual contamination remediation that's been done in other sites, I didn't have a picture of what this yard looked like before, but this is after. It looks like about a foot has been removed. And just notice the tree on the far right. That's kind of a location for the next slide you'll be able to see. But they dug up pretty close, in this case, to the foundation. Here's along the fence line. This is what it looks like afterwards. You come back in. You put the 2 feet of -- well, in this case it looked like about 1 foot of fill and you put the sod back in. They put some bushes back in also. There's the tree.
The next picture is going to be on the other side of this driveway. So you see they dug around the driveway, so they didn't necessarily go underneath the driveway and tear people's driveways up. Again, it looks like about a foot. And then afterwards they put the 1 foot of fill in this case and they resodded it. And, again, it looks like they put some plants back.
So that's kind of a picture of what's happened at many other Superfund sites where removal

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like this have been done in residential areas and this is what we're envisioning here at the Brown's Dump Site. This is the backyard. There's a little pad back here with a little shed. They dug around that. They could have removed that. And then they came back and filled it in and put grass back. They didn't dig this up. Maybe it's a fig tree but they dug around. So that's just some images and some examples of where this has been done before.
Now, what's another type of land use? Former school property, the developed. This is the -- by developed land, I mean, the land where the school is actually located, the former school, the buildings are located. They're going to, again, prevent human exposure by removing soil as a need to put in that 2-foot thick of cover that's going to break the exposure pathway to any contamination. And for the contamination that's going to be at depth or underneath buildings, we're going to have these institution controls where people will have to get approval in order to dig at depth so that they can dig wisely.
This is an example -- a cartoon example of a school, former school. This is the northern property here. This is the fence. This was kind of

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the ground zero that I was talking about. This is where it appeared that most of the ash was dumped. They're kind of showing it real deep. There's contaminated soil kind of around the other property. I kind of assume there's contamination underneath the school building. We haven't really sampled underneath the -- directly at the building, so this is kind of just a cartoon. There's contamination around the school property at depth. We're going to come in with a cover, I'm saying that's 2-foot thick. There may be some excavation that's needed to put that cover in because of storm water concerns; put cover under here and the institution controls to make sure that no one digs this up in the future.
Another use, land use is industrial use. And in case we have any industrial use in this area, we're going to prevent human exposure by providing some sort of material that breaks people's exposure to the contaminated soil. This could be through asphalt, or the concrete, or some soil. And if there's any soil at depth, greater than 2 feet, we're going to use these institution controls to keep you from digging unknowingly so that they can dig wisely. And we're also going to make sure that

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the land use stays industrial. In other words, we're going to put something on there that keeps that property from reverting, maybe to residential at some point in the future.
Another land use is the creek area. What we're going to do is there's some ash that's kind of right up to the creek and in the creek, and we're going to stabilize the banks of the creek. We're going to clear the land use, excavated soil, get an acceptable side slope and dispose that material.
But this is a figure. I mentioned a couple of times that we haven't been able to get access on all of the parcels. In this figure, the orange color are parcels that we've sampled and we have information on. The parcels that are in blue and green and other colors, I guess maybe there's a purple up there, those are parcels that for various reasons we need to go back and sample. So we're asking people to give access to go back and sample.
I don't remember the number of parcels that we want to go back and kind of take another look at. I think it's probably close to 100. We've only gotten about 21 access agreements that have been signed. So we need to have some more access granted so we can do some more sampling.

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I mentioned that the cleanup here, the investigation cleanup is funded by the city. And this is a quote from their comprehensive annual financial report last year. And I think this is the section of the financial report that really kind of looks to clean up sites, like Brown's Dump. And basically it's saying that they're going to have to use lots of different instruments to get the money. They can use general revenues and they've got a trust fund and, you know, they can float bonds. I'm not really sure. That's up to the city how they want to fund this thing. I just wanted to put this up to drive home the point that the city is the one that's on the hook for doing this cleanup as far as monetary costs go.

This is the last slide and it's just giving you a reminder that the public comment period started July 28. It's going to run to the end of the month. And we need to have comments. If you're interested, if you have any comments, if you have any concerns, you can vocalize them here tonight or you can write them and send them to me. I've got some business cards. And what I'm going to do is I'm going to put them out there on the table, so as you're leaving tonight, you can get take my business

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card. It's got my name and number and address and I think that's it.

UNIDENTIFIED SPEAKER: I have three questions I want to ask. Would you go back to your map, please, showing the contaminated -- can he hear me?

MR. HARDEGREE: All right. I'm sorry.

UNIDENTIFIED SPEAKER: The color-coded map. Look at that part down at the very bottom. How -- you said the green was good but the brown was contaminated to some extent. But the contaminants being movable, how can they be so close to the green and the green be so close to the brown and then right next to it it isn't contaminated?

MR. HARDEGREE: Yeah, if you look here there's --

UNIDENTIFIED SPEAKER: I'm asking how can that be.

MR. HARDEGREE: Well, the conceptual model is that this contamination out here was moved there either by dump truck or shovel and placed on property that was low in order to bring it up. So it's called fill. So they're filling out to level up the lot so they could build a house. So it may be that this area over here just didn't need enough

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fill.

UNIDENTIFIED SPEAKER: Okay. The next one, you're going to use shallow excavation. And you said that Brown's Dump was -- come about in 1970-something. I've been over there on Leonard Circle 40 years, and it was low and if you're going to take just 2 feet of dirt, you're going to go into the contaminants and it's going to be right there, because I put 2 feet of dirt on it since I've been there 40 years.

MR. HARDEGREE: Yeah. There is some locations where it appears that the property owners had added dirt to their property. The point of the remedy is, through the sampling we've identified areas where the upper 2 feet have contaminants, and we've identified that that upper 2 feet is the zone of exposure for people in their general daily use. So we're going to remove any contamination in the upper 2 feet.

UNIDENTIFIED SPEAKER: But there's none on my upper 2 feet because I've put more than 2 feet on it. So if you take it off, you're going to reach the contaminants, assuming your judgment as far as the contaminants. I have one more question.

MR. HARDEGREE: Could you state your name.

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MS. MITCHELL: Dorothy Mitchell, Dorothy Gazara Mitchell (phonetic).

MR. HARDEGREE: Okay. Thank you. And could everyone please state their name before they give their questions or comments.

MS. MITCHELL: I have one more question and I'm through. I read in the paper that you're going to move the dirt. I think you're opening your yourself up for another lawsuit because you said that you aren't going to force anybody to move. Where am I going to be if the area around me -- because you haven't identified it -- where would I be when the dump trucks go in and out, in and out and you're going to get some contaminants in the process of taking the 2 feet up?

MR. HARDEGREE: Yeah. The way we have it in the feasibility study, the study that looks at which alternatives for cleanup are possible. We have what's called a temporary relocation. It's not permanent. It's temporary.

MS. MITCHELL: For the people.

MR. HARDEGREE: So for the people that are sitting in that house -- if you think about that picture that I showed you where they removed about a foot of soil in the person's yard, if the person

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doesn't want to be in the house while that's going on -- and I'm estimating it will be a couple of days to do a yard, to dig it up and replace things -- there's an opportunity for those people to be temporarily relocated at the cost to the city.

UNIDENTIFIED SPEAKER: Okay. I just wanted to --

MR. HARDEGREE: I'll get to you. Could you state your name please and give your question. I'm sorry. In the back, ma'am.

MS. WHITE: I'm Carol White.

MR. HARDEGREE: Carol White.

MS. WHITE: Approximately how much is this cleanup going to cost the city?

MR. HARDEGREE: The estimate in the feasibility study is 20 million. Now, if you recall in one of the figures I showed you when I was talking about the brown parcels, the colors that were actually brown, I said that some of those were assumed to be contaminated because we haven't been able to get access. At the end of my talk, I showed you some figure and said some of those colored parcels haven't been sampled. So in that $20 million, there's some assumptions of contamination and those assumptions would lead to a higher value.

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So my guess is that $20 million is probably on the high side.

Yes, sir.

UNIDENTIFIED SPEAKER: I have a couple of questions here.

MR. HARDEGREE: Name, please.

MR. TUNSILL: Lawrence Tunsill. Why was there no feasibility study done on the cost of moving the people away from the contaminants? In region four in Atlanta, I happen to know that they have a very poor track record as far as environmental justice is concerned, i.e., environmental racism. Do you have any statistics as to how many times black people have been relocated versus how many times white communities have been relocated?

MR. HARDEGREE: No.

MR. TUNSILL: Well, I have some raw statistics and they are glaringly disproportionate. And in a situation like this, I would think that you could move all these people for similar -- for something that was comparable to the cost of cleanup, but you did not consider that. And I wrote you a letter asking you to do that months ago, but you didn't put it in there. You should have

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explored all the alternatives. That's an alternative too, you know.

MR. HARDEGREE: Well, in my response to you, and I'll basically try to verbalize that, is that when you look at current locations, that's really not an alternative that the region really looks at.

We've done a permanent location pilot study in Pensacola. One thing that strikes me when you talk about permanently relocating people is not everybody out here wants to move, I would think. I mean, there's some people when I walk around to their community trying to get access to some of these properties, I mean, one of the questions that several of them asked me was, you know, are you going to force me to move? And I said, no.

So there's two things to consider. One is, that not everybody wants to move, and the other one is that if you buy all of this property, you still have to clean it up. So you're doubling, tripling the cost. So I would disagree that it's cheaper to move people than to do what we're doing. And there's a long track record -- the Superfund removal program and the remedial program, for that matter, in doing residential cleanups as I've shown

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here.

MR. TUNSILL: I happen to know about this cleanup situation that happened out on -- in New Orleans, and it was so disruptive and so inconveniencing of the residents until it was a nightmare. And in the interim relocation policy, a site like Brown's Dump with roads, with paved streets and houses and schools and apartments and parking lots and sidewalks, it is not feasible, unless you're dealing with African-Americans to disrupt their daily lives like that.

MR. HARDEGREE: That's a comment, yes. And, sir, did I get...

MR. EVANS: Yes, Dan Evans.

MR. HARDEGREE: Dan Evans?

MR. EVANS: Yes, sir I have two questions. Going back to your cartoon that you mentioned that you showed, you took away some contaminated soil but you left the contaminated soil up under the house.

MR. HARDEGREE: Yes.

MR. EVANS: Is there any revision being made to get the contaminated soil from under the house? And for the people that live there, how is that helping them not to be absorbed with the contaminants that's coming off of the left soil?

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MR. HARDEGREE: So this is basically the scenario, after cleanup that there would be contamination underneath the house.
MR. EVANS: Underneath the house where people live.
MR. HARDEGREE: The contaminants that we've got here are lead and if you're not exposed to the contamination, if it doesn't get into your hands and into your mouth, there's no -- there's no risk. The fact that the soil is underneath the house and people don't live underneath their house, they're not exposed to that contaminated soil. It's not like it can travel up through the air and attack you.
So the thinking is that if this house stays there intact, that it's basically capped with the contaminated soil that might be present underneath. If the house were to be removed or a new house built, then the institution controls would kick in and the building permit would have to take into account how to wisely dig and wisely build, given the fact there's contamination.
MR. EVANS: Let me follow-up on that.
MR. HARDEGREE: Sure.
MR. EVANS: Florida, Jacksonville, we have

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a lot of rain. That rain water will run that contaminated soil back into the green soil. What's to prevent that?
MR. HARDEGREE: Well, I don't think rainwater necessarily falls underneath your house.
(Audience interruption)
MR. EVANS: I understand what's going on. Don't do that. In doing that you're going to make some of us respond to you in ways that we don't want to. Don't play us like that.
My second question is dealing with the $20 million assessment thing. In the paper this morning, there was mention of $100 million that's been allocated. The city is going to be held accountable for administrating that.
MR. HARDEGREE: Or paying for it, coming out of the funds.
MR. EVANS: Now, will that 100 million come through the city to be administered or would the city have to come up with that money?
MR. HARDEGREE: The city would have to come up with that money. And that 100 million value is actually, I think, a combination of the cost associated with the Brown's Dump site and the cost associated with some other sites that were mentioned

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in the article, like, Lonnie C. Miller, Fifth and Cleveland.
Yes, sir.
MR. WHITE: Reverend White. I just have two simple questions. Like he was saying about the rain, I think what he was eluding to, once you start excavating the 2 feet and it started raining, where is that contamination going? And in the cartoon figure there, what if that house catch on fire and get totally burned and the fire department have to come in and spread water? What happens to that contamination? And the final question is, is it the particles that float in the air that are really harmful to you, how are you going to protect that? It can get all over the house, inside the house. What is it going to cost --
MR. HARDEGREE: Well, I guess during the excavation, there would be what we call dust control measures taken to make sure that you're not taking the contaminated soil and putting it up into the air. One thing you could do is you could wet the soil down to make sure that you keep the dust out. That's used in the industry all the time for dust control when you do excavations.
You made a comment about, I guess, the

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house burning down. If the house were to burn down and the fire department came, I guess they would put water on it. The way I would envision it, the water would not necessarily be directed at the soil underneath the house to the point where it would, you know, erode the soil and make the soil migrate somewhere else. And then when you have to go and rebuild that house, you'll have to get a permit to build the house and there will be this institution control that would be a trigger to acknowledge that there may be contamination at depth. We need to take care of that. We need to dig wisely and construct wisely.
MR. WHITE: Who's going to pay for that?
MR. HARDEGREE: Who would pay for that?
MR WHITE: The insurance company or the home buyer or the city?
MR. HARDEGREE: Well, I guess the cost associated with the contamination would be the city's responsibility. But the cost associated with the house burning down that would be, you know, insurance probably.
Yes. The man in the hat in the back.
MR. HARRIS: I'm Wesley Harris. I'd like to know what about all of this money you're spending

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to fix up all this soil and stuff, what about the people's health that have been living in this area, can't half breathe and have problems breathing and other problems. What about that? Are there any funds set aside to deal with the health issues?

MR. HARDEGREE: My role here is to identify the contamination and cleanup contamination. But the question that you're asking is a broader question. It's a fine question. It's a question that needs to be asked, but it's beyond my ability to deal with it.

UNIDENTIFIED SPEAKER: Let me ask you a question.

MR. HARDEGREE: Yes, sir.

UNIDENTIFIED SPEAKER: I don't live in this area. Is this meeting only pertaining to the people in this area or all the dump sites that we live -- here in the city of Jacksonville? Are we concerned with the dump sites at Forest Park Schools, or we concerned with the dump sites at Jefferson Street across from the swimming pool? What -- we just working on one area now --

MR. HARDEGREE: Yeah, this meeting is for one area.

UNIDENTIFIED SPEAKER: This area.

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MR. HARDEGREE: Now, tomorrow night there will be a meeting that deals with the Fifth and Cleveland and the Forest Park at Emmitt Reed, Lonnie C. Miller.

UNIDENTIFIED SPEAKER: Where is that to be held?

MR. HARDEGREE: I'm sorry?

UNIDENTIFIED SPEAKER: Forest Park, where will that be --

MR. HARDEGREE: It's going to be at the Emmitt Reed Community Center.

UNIDENTIFIED SPEAKER: It's going to take in Forest Park, right?

MR. HARDEGREE: Yes.

UNIDENTIFIED SPEAKER: Huh?

MR. HARDEGREE: Yes.

UNIDENTIFIED SPEAKER: What time?

MR. HARDEGREE: 5:30.

UNIDENTIFIED SPEAKER: All right, then, I'm going home.

MR. HARDEGREE: The gentleman there in the middle.

MR. GREER: My name is John Greer (phonetic). I live on 31st and Adams. What are you going to do about the streets out there? Because

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they resurfaced my street. When you tore it up, it smelled like a hog pen. Are you going to tear it up and redo that?

MR. HARDEGREE: Yeah, the streets --

MR. GREER: The street's stanking, too and the manholes -- at night roaches come up out of the ground.

MR. HARDEGREE: I mean, I don't know what that is. It sounds to me like it might be sewage.

MR. GREER: I called down there and she sent somebody one year (inaudible). At night you come out there, roaches running all over the street. One more thing I want to ask you.

MR. HARDEGREE: Yes.

MR. GREER: Why is they closing the flour mill down so quick? The flour mill, it was shut down and nobody know what happened.

MR. HARDEGREE: I don't have any information on that.

MR. GREER: That was horrible. (Inaudible) on dump. The flour mill right there on 33rd.

MR. HARDEGREE: I don't have any information on that.

MR. GREER: I know you know about that.

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MR. HARDEGREE: I want to take one more comment and then Ms. Tunsill has a presentation -- her presentation she wants to do. So one more comment and then we'll hear from Ms. Tunsill.

MS. GRIFFIN: My name is Jacqueline Griffin and I would like to know, like, an empty lot and things. And if this was to come -- to cover this contaminated soil, you-all are going in the empty lots and cover it, too?

MR. HARDEGREE: Yeah. The empty lots will be treated just like a lot that has a house on it, except we don't have to worry about a house.

UNIDENTIFIED SPEAKER: You're not giving us a choice here, right? Is this you're going to do?

MR. HARDEGREE: Well, now, this is -- we've done a lot of studies and there are a lot of samplings, and we've come up with this proposed plan on what we're doing and we're trying to take some comments.

UNIDENTIFIED SPEAKER: I think the whole thing is a sham because I cannot see cleaning all this contaminated soil up, which some of it actually goes, like, 20 feet deep.

MR. HARDEGREE: The 20 feet deep is only

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on that northern school property. That's really what the ground zero -- let's see. The 2 feet thick area is really in one area kind of around the substation. So don't walk away tonight thinking that it's 20 feet thick way out here in the subdivision.

I was told right before the talk here that basically the excavation in people's yards is going to get rid of 80 percent of the soil. So removing the upper 2 feet or removing the contamination in the upper 2 feet is going to get rid of 80 percent of the contamination that's --

UNIDENTIFIED SPEAKER: What happens when we have these floods? Some of, you know, the streets are actually flooded, water is running everywhere. What's keeping all that soil from eroding those 2 feet of soil that you put there?

MR. HARDEGREE: I'm not in the storm water program. That's a city issue. What I've been told is that there's a plan to put in a storm water retention pond to kind of alleviate some of the flooding concerns. I don't really know where it is. I think it's somewhere down in this area. But there's a plan within the city to try to alleviate some of the flooding issues.

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All right. Let's kind of hold the comments here for a moment or two and have Ms. Tunsill come up and give a little talk here.

MS. TUNSILL: My name is Nellie R. Tunsill, chairperson for Citizens For Environmental Justice. And I'm going to be as brief as possible. But I do feel what I have to say is important to the community.

Let's make a correction on the size of Brown's Dump. It started out as 50 acres and went from 50 to 75; it went from 75 to 100; and it ended up 113. And we must remember that the incinerators in Jacksonville operated from the early -- from 1910s. From 1910. That's a long time ago.

Now, for Brown's Dump, it operated from the early '40s to 1963. They closed up 14 acres to build Mary McLeod Bethune back in 19- -- it opened in 1956. Now, what I would like to do is to go briefly through this report here that really made Brown's Dump a Superfund site. And I didn't get here exactly at 5:30, so I don't know everything that was said about Brown's Dump.

But in 1985, the EPA conducted a preliminary assessment which concluded that the site should be inspected on a low environment basis. In

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November 1985, the EPA Environmental Services Division conducted a site-screening investigation testing the surface and surface of the soil, sediment and groundwater and surface water. The results of these findings indicated high levels of lead in the surface of the soils. Additionally, lead was detected in sediment samples collected from Moncrief Creek.

Okay. 1995, the Roy Western (phonetic) Incorporated Technical Assistance, which is part of the emergency response and removal and prevention branch conducted a sampling. The results of these samples support the elevated levels of lead found in the previous investigation. As a result of these levels, a meeting was conducted on April 25th, 1995, in the previous investigation.

Now, take note that the previous investigation is in 1985. The next time we here from the EPA is in 1995. That's 10 years later. Okay. Now, the results of these samples support the elevated levels they had found in their previous investigation. As a result of these levels, a meeting was conducted on April 25th, 1995, with concerned parties to discuss further activities at the site. The EPA advised school officials to

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restrict access from the area of soil contamination as identified by the most recent sample results.

In November 1995, the Improm (phonetic) Corporation prepared another assessment, and I can tell you some of the things they found. All right. They found several organic compounds at elevated levels, meaning that it's high in the surface soil. You've got -- you might not understand all these names, but these are chemicals and over 100 was found at this site. Though we just only talk about lead for the most part and dioxin here and there. You've got Antiphylamine (phonetic), Carbazol, Fluorine, Amnestine (phonetic), Parathion, Phorophine (phonetic). You've got Chlaraphine, (phonetic), Dibenzoanthracene. And you've got numerous pesticides at elevated levels at this site. DDE, DDT, PCBs, Dioxin. Dioxin is the most important of these contaminants because it's the most dangerous known to man so far studied.

Okay. The groundwater pathway is of concern; the surface water pathway is of concern; the soil exposure pathway is of concern, so says this report.

Now, I can tell you that the groundwater -- we had Martin Wells (phonetic)

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located on site here and they had stuff like aluminum, arsenic, barium, calcium, cobalt, sulfur and lead, magnesium, manganese, nickel, potassium and sodium at elevated levels in the groundwater.

Now, these contaminants are considered to be attributable to the site, that means they're on the site. Additionally, numerous groundwater users are located within the site's four-mile radius, therefore the groundwater pathway is of concern.

Now, what I'm going to attempt to do here now is to tell you that all of the contaminants that was found was never talked about. But that doesn't mean they are not there. Okay. I want to tell you about lead for a moment, Dioxin and aluminum, which is -- some people may think it's not that important. And I'm going to go through these as quickly as possible.

At very low levels, lead is poisonous to the central nervous system. And this comes from a report done by a Dr. Herbert Needleman. And it says: It causes sterility which probably desimated Roman nobility. And it stunts the growth in children. It causes high blood pressure; it causes hearing loss and it probably causes cancer, according to the U.S. Environmental Protection

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Agency. In high enough concentrations, lead causes brain seizures and death but such high exposures are rare. Lower more insidious exposures are very common. Children are particularly susceptible to damage from lead.

Lead offers no dietary benefits to humans or animals. Therefore, the American Academy of Pediatrics recommend that the only desirable amount of lead in humans is zero. Zero.

If there's lead in soil anywhere near where children play, outdoor dust and indoor house dust becomes contaminated with lead and the children end up ingesting lead from their hands. This has now been confirmed and reconfirmed by medical studies.

Since the 1970s, awareness of lead contamination has been growing. As a result, in the 1970s, the federal government dramatically reduced the allowable use of lead and gasoline from 2 grams per gallon to 0.1 gram per gallon and outlawed lead entirely for use in indoor paint.

However, even these measures have not solved the lead problem because lead does not degrade or go way. Once lead is mined out of the earth and put into commercial use, it becomes a

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permanent part of the environment, until slow natural forces of soil erosion bury it again. It's been estimated that the half life for lead in the environment is between 1000 and 2000 years. This means that lead introduced into the atmosphere, or buried in a shallow grave such as a landfill, today will be accessible to humans for 10,000 to 20,000 years. For this reason, lead introduced into the environment is cumulative, the problem grows larger each year as the nation's soil become more contaminated.

MR. HARDEGREE: Ms. Tunsill.

MS. TUNSILL: I'm going to tell you one thing about -- yes.

MR. HARDEGREE: This is an opportunity for the public to give some comments. You've made your point.

MS. TUNSILL: Well, not quite. Give me a few more minutes. I'm almost through. But I can't stop now. I'm right at the end of it. Just calm down. What they're hearing now will help them make a decision.

MR. HARDEGREE: Just a couple more minutes.

MS. TUNSILL: Now, I'm going to finish

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this. I'm not at a city counsel meeting. I'm representing this community that have been living out here for over 50 years and we have a right to speak. And you should have contacted us to let us know what your agenda was. You don't even have an agenda here. You can't come in here and just talk and tell us to take what you say at face value, because what you're saying is not the whole truth.

(Audience interruption)

MS. TUNSILL: Now, there are -- this report right here -- and I'll be through with lead. You had a report that come out in the Florida Times-Union about lead. Okay. It says in one report that lead may cause -- may cause harm and there was an acceptable level. In other words, it says, Low levels of lead may still hurt children. This was dated Tuesday, May 16, 2000, and it was in the Times-Union. Then, April 19th, 2003, there is an article that says: No Safe Level of Lead Exposure, study shows. All right.

UNIDENTIFIED SPEAKER: None?

MS. TUNSILL: None. No safe levels. Zero. Okay.

Now, the chemicals that I want to talk about is a hormone disrupting chemical. It's an

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endocrine disruptant and it's called dioxin. And this booklet in here, which is in the library it's called, Dying from Dioxin. And there's a report here from the Times-Union, Thursday, May 18, 2000, that says health risk from dioxin now up ten fold, the EPA says. Now, you can bet that the EPA has still not released that study on dioxin because it's a protected industry. They're not protecting the city, just industry.

Now, hormones, you know what hormones are. I'm not going to go through all of that.

The endocrine glands, such as the adrenal gland, pancreas, thyroid, pituitary, ovaries and testicles produce hormones and what dioxin does is go in, disrupts all of these hormones and nobody -- the cells and everything don't know how to adjust to that. So when you disrupt these hormones -- you see in our community it says that you have a higher rate of diabetes in the community -- and we do -- it will affect the organs of the body, all of the organs of the body. And I can't tell you all of that. But if you live on Brown's Dump and in the black community where these dump sites are, you know that we have all kinds of problems, health problems. And I can tell you in this information that I have, it lists a

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whole hosts of things that dioxin can cause. And I'm just talking about dioxin and lead, not all of the other hundred contaminants that's out there.

So all I want to say is this, this is my final statement, that we in this community have been living out here, some of us 50 years or more, we don't -- we're tired of the EPA not acting in the best interest of the citizens of this city. And I've got evidence that tells me -- and it's a letter that was written by the first person that came to visit us back in 1999, who was at that time the person that has L'Tonya's job, L'Tonya Spencer. And there was another EPA person that had Mr. Hardegree's job. Since we started this, we started out with Maxwell Kimpson. We had Randa Chichakli. We had Caroline Robinson and now we have Mr. Hardegree. And I'm told that even before that, they had two other project managers.

So what we have here really is a circus. The people out here on these dump sites have been denied equal protection under the law. Your civil rights and your human rights have been violated, because we're not supposed to be living on dump sites. And all of these precautions --

(Audience interruption)

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You're talking about (inaudible). You're talking to human beings. You don't have any quality of life when you have to do all of that. Nobody else does it. So why do you think that we're going to be stuck here on this dump without a fight? Okay. You don't live here. When we ask other people what would you do, you know, what they tell us, I'll get the -- I wouldn't even -- I'll get away from there. But you have people staying out here who owns homes and it's only fair that these people be relocated and moved to higher ground where there's no contamination.

(Audience interruption)

Now, we don't have anybody to protect us, so we're going to protect ourselves. Thank you.

MR. HARDEGREE: I guess you've heard her talk before. She tends to go on and she makes her point. Let me try to respond to a couple of things. One thing that she mentioned is that there's contamination out there. All right. I acknowledge there's contamination out there. My response to that contamination is to try to clean it up. You may not like the proposal we have here on the table, but you need to give me some comments so that I can hear your concerns and we'll try to address those

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concerns, so anyway.

Ma'am, there.

UNIDENTIFIED SPEAKER: Since everybody is against the city --

MR. HARDEGREE: Your name, please. I'm sorry.

MS. HAYWOOD: My name is Betty Haywood (phonetic). I live on Brown's Dump. I live on Betsy Circle right across from it.

Since everybody is against that, why would the city still try to maintain it and force us?

MR. HARDEGREE: Everybody is against the cleanup?

UNIDENTIFIED SPEAKER: Yes. Why don't you take a poll right now and find out how many people in this room would prefer to be relocated and make that a part of the record, because that's what you came here for, right? To find out how we feel. Hands, how many would rather relocate? The relocations have it by an overwhelming majority. I want that record. I want to see it in this write-up, media, what took place here tonight.

(Audience interruption)

MR. HARDEGREE: I guess the only point I would make with regard to polls like this is that

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there's probably 200-plus parcels that we're looking at that might need remediation. There's not 200 people in this room. So although this segment here believes in relocation, it may not be what everybody wants, and it may not be what the community wants in the end. But anyway. Understood. Any more questions? Yes, ma'am.

MS. GREEN: My name is Claudia Kidd Green (phonetic). And when you had your remedial solutions up there, you chose the one that's shallow, right? Okay. Why did you not choose the one that said deep.

UNIDENTIFIED SPEAKER: Because we black.

MS. GREEN: Then also you chose to remove some of the shrubbery from around the house. You chose to leave the tree. Why would you not remove the trees also? I know it cost a lot of money to have trees cut down because I had trees cut down in my yard. It cost over 1000-and-some-odd dollars to remove them, true enough, but if you're going to do what you say that you're going to do, try to get the toxins out of the yard, why would you remove the small shrubbery, leave the large trees?

Now, in Florida we are a hurricane state. It rains all the time. Big trees that have grown

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over the years in people's yards have a tendency to fall down. When they fall down, their roots come up. Up comes the toxins that you left in the yard. Then again, there's another problem because the toxins that you left there, that you let the new soil come around now is up. That person now has another problem. The toxin is there. So what's going to be done? They got to call, city come out. Somebody starts redigging again to replace -- to remove the soil, when you could have removed that tree in the beginning. But this, you say, but this you say, is a part of your solution. No, it's not. You're missing --

MR. HARDEGREE: Well, there's --

MS. GREEN: Excuse me. You're missing the solution if you're leaving a problem. Okay. All right. So you chose to do shallow. Now, when you gave us an example, you showed a driveway. You're digging 2 feet. I've had a person put in a driveway. When they put my driveway in, I think they dug about 2 feet when they laid my driveway. I paid them like $2000 to lay it down. Okay. That's not deep enough. It's not deep enough. I have -- I can get a receipt and show you how deep they dug in my yard to put the driveway in.

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MR. HARDEGREE: Okay. So basically the --

MS. GREEN: So what you're saying to me does not compute.

MR. HARDEGREE: Okay. Well, with regard to the driveway, you know --

MS. GREEN: So if you're digging -- excuse me. You had a long time to speak.

MR. HARDEGREE: Go ahead.

MS. GREEN: If you're digging just that small little 2 feet in that driveway, don't you think you need to dig a little bit deeper under that driveway?

MR. HARDEGREE: Okay. If you're -- if they removed 2 feet to put your driveway in, they basically removed the upper soil interval that people could be exposed to, plus there's a driveway on top.

MS. GREEN: I'm speaking of what you're showing up here. Hey, don't speak to me like that. I'm quite intelligent. Okay. So what I'm saying to you, now, if you're going to come in that yard and leave big trees and all that around, you're not solving a person's problems. You're leaving a problem.

MR. HARDEGREE: With regard to the

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trees --

MS. GREEN: You're leaving the trees because they're expensive to get rid of. Let's tell the truth. They are.

MR. HARDEGREE: One thing you need to remember about contamination is that just because there's contamination on the surface, around the tree, let's say, the tree that falls over, just because there's maybe some contamination that's brought up by the tree falling over, it doesn't mean that you're going to go out there every day, 365 days a year --

MS. GREEN: Excuse me. No.

MR. HARDEGREE: -- and ingest that soil.

MS. GREEN: That's not going to cut it. If the tree comes up, the soil is there with the roots also, isn't it? Okay. So the contaminants is coming up, too, isn't it?

MR. HARDEGREE: Yeah, but --

MS. GREEN: So if you had gotten rid of the tree, what would happen?

MR. HARDEGREE: Well, the point --

MS. GREEN: You wouldn't have the contaminants coming up.

MR. HARDEGREE: The point of a risk is

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that you have to have a --
MS. GREEN: No, no, no.
MR. HARDEGREE: -- both exposure getting into your mouth and present.
MS. GREEN: Excuse me. The point is, if you had gotten rid of the tree at the beginning, you have the tree coming up with more contaminants, wouldn't you? So it doesn't make sense. That doesn't make sense.
MR. HARDEGREE: Okay. Well, L'Tonya just reminded me that there's an option, I guess, if people want to have a tree removed, you can have a tree removed. Basically, the way I looked at it --
MS. GREEN: She's now saying it's an option, but when you presented it to us, you didn't present it as that. You said this is the way we're going to do it.
MR. HARDEGREE: This is a caricature that tries to capture some concept, some removal and my thought is that some people --
MS. GREEN: You showed us the caricature and then you showed us a house or a street, a live house.
MR. HARDEGREE: Yes.
MS. GREEN: On a street where you had --

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you put back the grass and all of that with a tree and left a tree standing, didn't you? Didn't you leave the tree standing?
MR. HARDEGREE: I'm sorry.
MS. GREEN: You're confused, I'm not. When you showed us the (inaudible) of the house, then you showed us a real house with a tree. And you showed us where you put the grass all the way back there. You did not say this is an option or not, did you?
MR. HARDEGREE: I did not say it was an option, yes, you're correct.
MS. GREEN: So how would we know it was an option? You were telling us what you were planning to do, right?
MR. HARDEGREE: I was presenting a generalization of a cleanup at this piece of property, and my expectation is that people would want to have some of their nice trees remain. If you want to remove the trees, you can.
MS. GREEN: And so now that I brought up the question, you bring up the fact that it can be an option, huh?
MR. HARDEGREE: Yes. Okay. Your comment is you want to have trees removed; is that...

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All right. Are there any more questions?
UNIDENTIFIED SPEAKER: We want to get rid of the contaminants, that's the point.
MR. HARDEGREE: Okay.
UNIDENTIFIED SPEAKER: Under the trees, that's the thing.
MR. HARDEGREE: Sir, in the back standing I'm sorry. What was your name.
MR. RICHARDSON: Mr. Barrett Richardson (phonetic). When you're laying -- when you build the dump sites and you cover it up, you cover up 6 feet before and you then you consider the old site contaminated, you don't build on them. Now, you're saying we're going to dig 2 feet. How are you going to dig when the stuff done surfaced up? So what you're digging is the dump site, the whole entire dump site. So how are you going to dig up what's already surfaced up. So you're going to remove the whole dump site? So this stuff is surface stuff. It's been down. It's done came up, or the soil going to move out the way. So how are you going to dig this stuff up? You're talking about 2 feet, I done had mine (inaudible). You-all done digged -- you-all done probed 6 feet already, and it was highly contaminated. You went 2 feet already, it

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was highly contaminated. You went 2 inches, it was highly contaminated.
And then they did a dust sample in my house and it was highly contaminated. The carpet had dust (inaudible). And then you said dust control. How are you going to control dust? When you get the (inaudible) of dust arising. When you dump that in the dump truck, dust is rising. When the dump truck leaves, dust is rising. How in the world are you going to clean this mess up? I'll take my share. You pay me mine and let me go.
(Audience interruption)
MS. TUNSILL: Mr. Hardegree, one final question.
MR. HARDEGREE: Okay.
MS. TUNSILL: Why haven't you discussed the interim relocation option for the community? Nobody never talks about that. There is an interim relocation policy. And in that -- I'll just briefly say that, if you meet two criteria, out of the four, that's grounds for relocation. And it says, Buildings owned or around the site, create a physical barrier to adequately clean up the site in order to protect human (inaudible), that's number one. Unreasonable activity restrictions will remain

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after cleanup.
Like you've been saying, carefully do this and carefully do that. This qualification is not as clear but the interpretation is that children playing in yards and the residents cannot plant a garden or trees and warm climate trees are important.
Now, you can think about a treeless community because, Lady, the reason why you're not getting a deep excavation is it costs more! Now, but the thing is a dump site cannot be cleaned up. Okay. In order for them to do a better cleanup, they'll have to dig up all the trees and all the shrubs. They'll have to go down so many feet, then they'll have to place a barrier on the ground in order to put the clean dirt on there. Now when you come back, you can't penetrate that barrier. Therefore, you cannot plant trees, shrubs, you cannot add on to your house. See, all this talking about getting a permit, that is not the answer. And so I'm just going to shorten this up by saying the feasibility study is a feasibility study. That means you study this by putting out a work plan and then you come back and you ask the people here. You ask yourself, is it feasible to clean up these

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sites? And the answer is no. Because you know why? It was never intended for folks to live on a dump. But when we are black, it's all right. I'm through.
MR. HARDEGREE: Okay. In the hat there. I'm sorry. What is your name?
MS. HICKSON: Inez Hickson (phonetic). You say cleaning up is the answer, why did you-all clean up around the school and then close it down?
MR. HARDEGREE: Okay. The question is about the school, and I wasn't around when the school was done. This is my understanding of what happened with the school closure. Is that the school was under-performing and the board decided that there was a reason to move the children to another school.
(Audience interruption)
MR. HARDEGREE: The way contamination played into the school board decision is that at that time there was the expectation that cleanup would be occurring in the coming year. And the county did not want to have the school open while we were doing cleanup. So they moved there closure schedule to close the school. But, again, I wasn't involved in that decision. I don't know. You really need to ask the county and the school board

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on that.
Yes, ma'am, over -- yes.
UNIDENTIFIED SPEAKER: My question is --
MR. HARDEGREE: Your name, please.
MS. BARNUM: Eunice Barnum (phonetic). And my question is directed to Ms. Tunsill. Did you-all have an expert that came out and gave his finding, what did he suggest that was best for the community? And what was his remedy for --
MS. TUNSILL: Let me say this and I'm going to say it and people can deny it if they want to. Okay. When we first was introduced to this back in -- May of 1999, we talked to the project manager whose name is Maxwell Kimpson. And me being new to all of this, not knowing that we lived on Brown's Dump for almost 40 years, we were just all bent out of shape finding out that this school -- I mean, that the school was built on a dump site and people living on it. So we asked Mr. Kimpson this question, Sir, how long have you been knowing about this site and this contamination and all what's going on? He said, He said, that you know, since 1995. They've been trying to get the city to sign in '85 but '95 is when he said that he was concerned about the school on the toxic waste site because

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every night he'd go to bed with the children on his mind and on his heart. And he made this statement -- and you can find him and then you can ask him, wherever he is. You know what he said, he said, Jeffrey and I agreed that the site should be abandoned.
UNIDENTIFIED SPEAKER: Who is Jeffrey?
MR. TUNSILL: Dr. Jeffrey Goldhagen (phonetic). Now, on another occasion Channel 4 asked DEP, what do you make of all this? People are all upset. This is back when it first happened. Everybody is emotional. What in the world is the answer to this problem? And that spokesperson who made the statement, he said, You have to remove the people away from the contaminants.
Our technical advisor, Dr. Dawu Saiid said from the beginning, you know, we've never seen quite -- anything like this. You know, you have big open fields where landfills are and you go to clean those up, but nobody's supposed to live on them.
See, this dump was never treated like closed landfills are treated. It was never closed. Not legally. Not by the EPA. It was just covered over and started digging and building houses and schools on top it.

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So now what you have here is a toxic terror neighborhood. That's how come you live here. And you know how much sickness and death go on in this neighborhood. We know we have not had protection from nobody in this community, the health department, EPA. It's sad. It's sad to say but they don't protect anybody but polluters, municipalities and corporations and you know that when you read about it today. In fact they've almost stripped the fund for the Superfund, stripped that fund they have for Superfund sites. You don't have funds for cleanup anymore. So the people are in harm's way. And I pray to God that now one thing for all, people will be removed from these death camps they've been locked into since 1910. I think it's time and it's only right. Nobody should live like this. Now you have a site over there on Forest Park where they're going to clean it up before they put a dog pound on it.

(Audience interruption)

We're dealing with environmental racism and genocide.

UNIDENTIFIED SPEAKER: And the second part of that. Was that report shared with all of these people who are here? Do they get a copy of that

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report so they will know what other data has been assimilated.

(Audience interruption)

UNIDENTIFIED SPEAKER: Did you-all get a copy of the report from the toxicologist that was hired for Forest Park; the one that was hired for Brown's Dump? Have you-all received any of that information?

MR. HARDEGREE: I'm not sure which report you're talking about.

UNIDENTIFIED SPEAKER: They ignored the remarks by our technical advisor, Dr. Saiid. He sent them numerous responses. They did follow the dictates of the guy over there on Riverside, Dane Kerr (phonetic). Because he wasn't saying anything, except going along with them.

MR. HARDEGREE: Sir.

UNIDENTIFIED SPEAKER: Yes, sir. Speaking of, you had mentioned about moving 2 feet of top soil and dirt, when they built these houses on the ground area, we still have those septic tanks. We're still connected with the city. Okay. We're one of the lucky ones. We didn't get methane gas (inaudible) even though I was here when they built these homes. They didn't put no cap dirt on top of

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it. No, sir, it is contaminated. It's more than 2 feet. It will be more than 2 feet to clean it up.

MR. HARDEGREE: Yes, in the back.

UNIDENTIFIED SPEAKER: Can you take back to them that your proposal has been rejected unless there's 100 percent cleanup or removal, move us out.

(Audience interruption)

MR. HARDEGREE: Is that going to be the last comment?

UNIDENTIFIED SPEAKER: Let me say one thing, my math tells me and some of you mathematicians tell me if I'm right, for $100 million you can purchase 1400 homes at $70,000. We got homes worth 200,000; we got homes worth 10,000. But I'm saying a good place to start is that figure I'm using. 1400 homes for the amount they're going to spend to try to trap us in these death camps.

MR. HARDEGREE: Yes.

One last question.

UNIDENTIFIED SPEAKER: If the city moved the families there, they built that community and they put the families there, then what is the difference with now removing them from there? And you know you created the monster. Why not -- you put them there. Why not clean up what you messed

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up?

MR. HARDEGREE: Okay. Well, we're right at seven o'clock. If there's no more comments. Remember that I've got my business card at the back.

L'Tonya, you wanted me to say that there's also -- if you didn't want to have a verbal comment given tonight, you can give a written comment. And you've got some cards or some little green sheets of paper you can pick up on the way out. But my business cards are there on the table on the way out. If you didn't sign the sign-in sheet on the way in, would you please sign the sign-in sheet on the way out.

(The proceedings concluded at 7 p.m.)

CERTIFICATE

STATE OF FLORIDA)
)
COUNTY OF DUVAL)

I hereby certify that the foregoing transcript is a true and correct computer-aided transcription of my stenotype notes taken at the time and place indicated herein.

DATED this 6th day of September 2005.

Richetta R. Brown